

Message Text

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ACTION EB-11

INFO OCT-01 ARA-16 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 L-03 DOTE-00 SS-15 NSC-10

DRC-01 /077 W

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FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC PRIORITY 3816

INFO AMEMBASSY MONTEVIDEO

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E.O. 11652: N/A

TAGS: ETRN, AR

SUBJ: US/ARGENTINE CIVAIR ARRANGEMENT

REF: BA-6970

1. SUMMARY. EMBASSY HAS RECEIVED FOREIGN MINISTRY COMMUNICATION FORMALLY PROPOSING NEW CIVIL AIR DISCUSSIONS TO BEGIN LATE OCTOBER OR EARLY NOVEMBER. EMBASSY VIEWS ABOVE AS CONFIRMATION GOA WILL NOT CARRY OUT COMMITMENTS UNDER DECEMBER 1972 MEMORANDUM OF CONSULTATION AND CALLING FOR DISCUSSIONS/NEGOTIATIONS INVOLVING FULL REVIEW AND PERHAPS COMPLETELY NEW BASIS FOR BILATERAL CIVAIR RELATIONS. ACTION REQUESTED: THAT DEPARTMENT PROVIDE GUIDANCE FOR REPLY TO FOREIGN MINISTRY. END SUMMARY.

2. DURING CALL PAID BY DCM ON UNDERSECRETARY TETTAMANTI, OCTOBER 2, PRIMARILY TO DISCUSS OTHER MATTERS, SUBJECT OF AWAITED COMMUNICATION FROM FOREIGN MINISTRY AS PROMISED BY TETTAMANTI ON SEPTEMBER 20 (SEE REFTEL) WAS RAISED. TETTAMANTI EXPRESSED SURPRISE AT QUESTION BECAUSE, HE STATED, HE BELIEVED EMBASSY SHOULD HAVE ALREADY RECEIVED NOTE ON THIS SUBJECT. NEAR NOON OCTOBER 3 EMBASSY DID RECEIVE COMMUNICATION DATED SEPTEMBER 28 ADDRESSED TO AMBASSADOR AND SIGNED BY TETTAMANTI ALONG FOL-
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LOWING LINES:

QUOTE(A) HAVE HONOR TO ADDRESS YOU WITH REFERENCE TO PRESENT SITUATION OF US AIRLINES IN RELATION TO THE MEMORANDUM OF CONSULTATION SIGNED ON 22 DECEMBER 1972 AND MY NOTE OF AUGUST 30, 1973, IN WHICH I REQUESTED AN EXTENSION OF THE STANDSTILL AGREEMENT IN CONNECTION WITH CIVIL AIR MATTERS.

(B) SHOULD LIKE TO INFORM YOU THAT OUR CIVIL AIR AUTHORITIES HAVE MADE KNOWN TO THIS MINISTRY VARYING JUDGEMENTS CONCERNING THE REFERENCED MEMORANDUM OF CONSULTATION, AS WELL AS GENERAL CIVIL AIR POLICY, AND HAVE INDICATED THE NECESSITY OF STARTING CONVERSATIONS WITH THE COMPETENT AUTHORITY OF YOUR COUNTRY TO EXPLORE, ANALYZE AND ESTABLISH A NEW POSITION ON THIS SUBJECT.

(C) REQUEST YOU TRANSMIT THE PRECEDING TO US AUTHORITIES TO ENABLE THE ESTABLISHMENT OF DATES FOR INITIATING CONVERSATIONS. INsofar AS ARGENTINE AUTHORITIES ARE CONCERNED THESE MIGHT BEGIN IN BUENOS AIRES IN THE SECOND HALF OF OCTOBER OR, IF THIS IS NOT POSSIBLE, IN EARLY NOVEMBER IN WASHINGTON, D.C.

(D) WITHOUT PREJUDICE TO THE ABOVE, I SHOULD LIKE TO POINT OUT THAT THE APPROPRIATE ARGENTINE AUTHORITIES (CIVIL AIR) HAVE INDICATED THAT IN ORDER TO FACILITATE A SOLUTION TO THE PROBLEM THEY OFFER TO CLEAR THE ROAD FOR AN UNDERSTANDING BY AUTHORIZING INITIAL CONTACTS, IN BUENOS AIRES, AMONG THE CARRIERS WITH REPRESENTATIVES OF AEROLINEAS ARGENTINAS. I REQUEST THAT YOU CONSIDER THIS PROPOSAL AND MAKE KNOWN TO ME YOUR DECISION CONCERNING THIS SUGGESTION. END QUOTE.

3. IN CIRCUMSTANCES IN WHICH (A) GOA HAS INDICATED IT DOES NOT INTEND TO CARRY OUT COMMITMENTS UNDER 1972 MEMORANDUM OF CONSULTATION, (B) AEROLINEAS ARGENTINAS IS ENJOYING SEVERAL OF BENEFITS GIVEN BY USG IN CARRYING OUT MEMORANDUM AND (C) USG HAS AGREED TO TEMPORARY BUT DEFINITE STANDSTILL, IT WOULD SEEM IN US INTERESTS TO PROCEED AS RAPIDLY AS POSSIBLE TO NEGOTIATIONS. ALTERNATIVES FOR US ACTION WOULD APPEAR TO INCLUDE REJECTION OF ARGENTINE REQUEST TO NEGOTIATE AND INSISTENCE UPON TERMS OF 1972 MEMORANDUM BUT THIS ALMOST CERTAIN TO LEAD TO OPEN CONFRONTATION, RESTRICTION OF SERVICE AND SERIOUS IMPAIRMENT BILATERAL RELATIONS. EMBASSY DOES NOT RECOMMEND THIS COURSE. US MIGHT RESPOND TO NOTE AND INDICATE CONVENIENCE OF NEGOTIATING SOME MONTHS IN FUTURE, HOPING THAT CONDITIONS WILL CHANGE AND IMPROVE THE CLIMATE FOR NEGOTIATIONS. SUCH A COURSE LIMITED OFFICIAL USE

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WOULD PROLONG THE PERIOD IN WHICH US AIRLINES OPERATING IN ARGENTINA WOULD BE UNDER WRAPS, SUBJECT TO CURRENT RESTRICTIONS AND FACED WITH CONTINUED UNCERTAINTY FOR FUTURE. SUCH AN ATTITUDE WOULD ALSO TEND TO FOSTER IDEA AMONG ARGENTINE AUTHORITIES THAT US NOT ANXIOUS TO COME TO GRIPS WITH PROBLEM. EMBASSY RECOMMENDS, IF US AGENCIES CONCERNED FIND IT IMPOSSIBLE, THAT PROMPT RESPONSE BE GIVEN GOA THROUGH TETTAMANTI ESTABLISHING EARLIEST FEASIBLE DATE FOR NEGOTIATIONS.

4. WITH REGARD TO PROPOSAL CONCERNING PRELIMINARY TALKS AMONG AIRLINES (PARAG 2 (D) ABOVE), EMBASSY BELIEVES SUCH DISCUSSIONS COULD ACCOMPLISH LITTLE. WE HAVE NO A PRIORI CONCRETE OBJECTIONS TO DISCUSSIONS BETWEEN US AND ARGENTINE AIRLINES BUT, GIVEN THE FACT THAT ALL IMPORTANT ARRANGEMENTS MUST BE CONTAINED IN INTER-GOVERNMENTAL AGREEMENT, WE VIEW THE WHOLE OF THE NEGOTIATION PRIMARILY AS AN INTERGOVERNMENTAL AFFAIR. WE REQUEST THAT IN REPLY TO THIS MESSAGE DEPARTMENT SUGGEST RESPONSE TO FOREIGN OFFICE ON THIS POINT.

5. IT IS WORTH NOTING HERE THAT DURING OCTOBER 2 DISCUSSION WITH TETTAMANTI HE MADE IT CLEAR THAT, IN VIEW GOA, UPCOMING NEGOTIATIONS COULD AND SHOULD BE BROAD BASED, COVERING ALL FACETS CIVIL AIR RELATIONS INCLUDING REGULAR TRAFFIC, CARGO TRAFFIC, CHARTERS, ETC. THIS WAS ANOTHER INDICATION THAT GOA INTENDS A COMPLETELY NEW BASIS MUST BE LAID FOR US/ARGENTINE CIVIL AIR ARRANGEMENTS.
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